IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

WEDNESDAY, THE 3RD OCTOBER 2007 / 11TH ASWINA 1929

Bail Appl..No. 5976 of 2007()

C.R.NO.100/07 OF ARYANAD EXCISE RANGE
CMP.6847/2007 of J.M.F.C.,KATTAKADA

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PETITIONERS/ACCUSED PERSONS 1,2, AND 3

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1. SARASWATHY,D/O. RUKMINY,CHIRATHALAKKAL VEEDU,PARUTHIPPALLY, THINAVILA, KOKKUDI MURI, MANNOORKKARA, NEDUMANGAD TALUK, THIRUVANANTHAPURAM DISTRICT.

2. ASOKAN,S/O.APPUKKUTTAN PILLAI, THENGUVILAKATHU VEEDU,,PARUTHIPPALLY, KOKKUDI MURI,MANNOORKKARA, NEDUMANGAD TALUK, THIRUVANANTHAPURAM DISTRICT.

3. SUSEELA,D/O. LOUIS,MADANKONATHU VEEDU, THOOMBOTTUKONAM,PARUTHIPPALLY, KOKKUDI MURI,MANNOORKKARA, NEDUMANGAD TALUK, THIRUVANANTHAPURAM DISTRICT.

BY ADV. SRI.G.P.SHINOD
SRI.RAM MOHAN.G.
SRI.MANU V.

RESPONDENTS: COMPLAINANT

STATE OF KERALA REPRESENTED BY ITS PUBLIC PROSECUTOR AT THE HIGH COURT OF KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. S.U. NAZAR

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 03/10/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 5976 of 2007

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Dated this the 3rd day of October, 2007

O R D E R

Application for regular bail. The petitioners face allegations under the Kerala Abkari Act. They were allegedly found in possession of 45 litres of wash, 10 litres of arrack and utensils for distillation on 29.8.2007. They were arrested and they continue in custody from that date. The petitioners have no history of any criminal antecedents, submits the learned Prosecutor.

2. The learned counsel for the petitioners prays, the learned Prosecutor does not oppose the said prayer on condition that the Investigator is granted reasonable further time to complete the investigation and I am satisfied that the petitioners can now be directed to be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

1) This application is allowed.

2) The petitioners shall be released on bail on the following terms and conditions.

(a) The petitioners shall not be released from custody on the strength of this order prior to 9.10.2007. The Investigators shall in the meantime make every endeavour to complete the investigation.

(b) They shall execute bonds for Rs.50,000/- (Rupees fifty thousand only) each with two solvent sureties each for the like sum to be satisfaction of the learned Magistrate.

(c) They shall make themselves available for interrogation before the Investigating Officer on all Mondays and Fridays between 10 a.m. and 12 noon for a period of three months and thereafter as and when directed by the Investigating Officer in writing to do so.

(R. BASANT)
Judge

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